IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

NOTICE OF MOTION NO.4454 OF 2007
IN
SUIT NO.2703 OF 2007

Smt. Manjula Kasat ..Plaintiff.
Vs.
Smt. Sarojbala Varma and others ..Defendants.
....
Mr. Rahul Chitnis i/b M/s. V. Deshpande & Co. for the Plaintiff.
Mr. K.K. Pandey for Defendant Nos.1 and 2.
....

CORAM: **DR. D.Y. CHANDRACHUD, J.**

5th December, 2007.

P.C. :

The Plaintiff is in occupation of flat No.1, admeasuring 630 sq. ft. on the first floor of a building known as Ratan Jyoti situated at 79/2, J.B. Nagar, Andheri (East), Mumbai 400 059 which was acquired in pursuance of an agreement dated 19th March, 1997. The First Defendant who holds leasehold rights in respect of the plot of land has agreed to assign her rights in respect of the land and building to the Second Defendant. The apprehension of the Plaintiff is that the First and Second Defendants may dispossess the Plaintiff and/or carry out a reconstruction of the building without her express consent.

Counsel appearing for the First and Second Defendants states that the apprehension of the Plaintiff is baseless and that the First and Second Defendants would not take recourse to any coercive steps either to dispossess the Plaintiff or to carry out reconstruction. The learned counsel further states that the First and Second Defendants shall either take the consent of the Plaintiff or take recourse to such other remedies as are open to them in accordance with law. The statement is accepted. In view of the aforesaid statement, counsel appearing for the Plaintiff does not seek any further relief in the Notice of Motion. The Notice of Motion is accordingly disposed of.